

Congress of the United States
Washington, DC 20515

May 17, 2005

The Honorable Michael Chertoff
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Re: Request Submitted Under the Freedom of Information Act

Dear Secretary Chertoff:

This letter constitutes a request pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). The request is submitted on behalf of the Honorable Louise Slaughter, Ranking Member of the Committee on Rules of the House of Representatives and the Honorable John Conyers, Jr., Ranking Member of the House Committee on the Judiciary.

We appreciate your response to our previous FOIA request of February 15, 2005 in which we requested all the Secret Service records pertaining to James Guckert and the policies that pertained to his access to the White House. In reviewing the response to our FOIA to the Department of Homeland Security several of our specific concerns were validated. The records we have obtained affirm that Guckert was granted a level of access to the White House, which appears to be unusual for any reporter. Out of concern for not only security, but also avoiding White House dissemination of propaganda, we have several clarifying questions and seek the release of agency records as described in the numbered paragraphs below.

1. The Department of Homeland Security's records indicate that Mr. Guckert entered the White House complex 196 times in the past two years. Please disclose the policies, procedures and guidelines for when a journalist must undergo the more rigorous security clearance and application for a "permanent" pass and can no longer be admitted under a "temporary appointment" pass.
2. The records show that Mr. Guckert was allowed access to the White House complex 38 times when no public press events occurred. He also spent hours in the White House both before and after press events took place. Please disclose all policies and procedures relating to when and how reporters are allowed access to the White House under a "temporary appointment" pass when there are no press events.
3. The records indicate that on 13 occasions Mr. Guckert checked in with security, but is never registered as leaving the White House complex. Additionally, on April 15, 2003 there is footage from CSPAN showing Mr. Guckert asking questions in a briefing, but there is no record of him entering or exiting the White House on those days. Please disclose all policies and procedures that could have allowed Mr. Guckert to enter or leave the White House complex without that activity being recorded by the Secret Service.
4. Please disclose all policies relating to how the badge numbers are generated and what the significance of the numbers indicate.

5. Please disclose all policies pertaining to exactly what entrances the press is allowed to enter and exit the White House.
6. In the US Secret Service "NWHACS- Access Control Records" provided in the FOIA response, there are two columns that list abbreviated information entitled "MsgName" and "Reason." Please disclose all records relating to what could be entered in these columns and what those entries mean.
7. In the FOIA response, the records indicate that there is a "30-day access list" that the White House may utilize. Please disclose all records pertaining to who requested that Mr. Guckert's name be placed on the access list and when those requests occurred.

We request a waiver of fees on the grounds that disclosure of the requested records is in the public interest and because disclosure "is likely to contribute significantly to the public understanding of the activities or operations of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii).

The House Judiciary Committee and House Rules Committee publish newsletters, news briefings, and other materials that are disseminated to the public. These materials are widely available to everyone for no cost. The records requested are not sought for commercial use, and the requesters plan to disseminate the information disclosed as a result of this FOIA request through the channels described above.

If our request is denied in whole or part, we ask that you justify all deletions by reference to specific exemptions of the FOIA. We expect you to release all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

We look forward to your reply to the request within twenty (20) business days, as required under 5 U.S.C. § 552(a)(6)(A)(i). Thank you in advance for your prompt attention and response to this matter.

Sincerely,



Louise M. Slaughter
Ranking Member,
Committee on Rules



John Conyers, Jr.
Ranking Member,
Committee on Judiciary